



The Comptroller General
of the United States

Washington, D.C. 20548

Huddleston - Ph

Decision

Matter of: Culfabco, Inc.
File: B-227207; B-227208
Date: July 10, 1987

DIGEST


General Accounting Office does not consider protests relating to small business size status because the Small Business Administration has conclusive authority to decide such matters.

DECISION

Culfabco, Inc., protests the award of a contract to Contech Construction Products, Inc., under invitation for bids (IFB) Nos. F65501-87-T7939 and F65501-87-T8156, issued by the Department of the Air Force. The IFB's were set aside for small businesses. Culfabco contends that Contech is a part of a much larger corporation, which Culfabco believes makes Contech ineligible for the award.

Our Office does not consider size status challenges. 4 C.F.R. § 21.3(f)(2) (1986). The reason is that under 15 U.S.C. § 637(b)(6) (1982), the Small Business Administration (SBA) has conclusive authority to determine matters of small business size status for federal procurement purposes. In fact, the Air Force advises that the contracting officer has referred the matter to the SBA in response to Culfabco's protest.

The protest is dismissed.


Ronald Berger
Deputy Associate
General Counsel

039415